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THE RECEIVER.

Houck Or Clotz—Which Shall It Be.

A Contest Over the St. L. C. G. & F. S. Railway.

The contest for the receivership of the St. Louis, Cape Girardeau & Fort Smith railway is creating much interest, and the following from Mr. Houck in the Post Dispatch a few days ago may prove good reading.

"In yesterday's issue of the Post-Dispatch you publish an order made by Judge Wear at Bloomfield on last Monday. Since Judge Wear has seen fit to make himself so conspicuous in the litigation which has been pushed by the Gould interest on the Cape Girardeau road, I ask a small space in your paper to explain his conduct and to reply.

1. Judge Wear on the 3rd of March attempted to appoint a receiver for the Cape Girardeau road, without giving the road any notice, or a chance to be heard, and no suit being filed at the time he made his pretended appointment.

2. He attempted to place a road, the cost of which was over \$1,500,000, in the hands of a receiver for an amount of the demand actually due of less than \$7,000.

3. He tried to appoint a receiver for a road about 100 miles long, when the demand stated in the petition before him was a specific lien only against about 24 miles of the line.

4. The person appointed as receiver by him was altogether unfamiliar with railroad business.

5. Prior to his elevation to the judicial dignity it should be known that Judge Wear was an attorney of the Gould system.

6. Judge Wear did not open the regular term of the Stoddard Circuit Court on Monday, March 6, as required by law, and consequently the bar elected a special judge for the term, electing my brother, George Houck, and as such Judge of the court Judge George Houck presided over the court during the entire first week, and on Saturday evening, March 11, adjourned court over to Monday morning, 8 o'clock.

7. Judge Wear did not attend the opening of the Stoddard Circuit Court on Monday, March 6.

8. True, during the week he was at Bloomfield for a day, did not appear in court, alleging he was sick, and finally left town, it being supposed that he would not return during the term. The allegation in his order that he had an understanding with the special judge that he would return, I am informed, is absolutely untrue.

9. The special judge also, on the second Monday, March 13, opened court at the appointed time and after sentencing a person pleading guilty before him to the State's prison, the attorneys of the Cape Girardeau road appeared and moved to vacate the order appointing Receiver Klotz, because the company had no notice of the application and no suit was pending in any court against the road when the receiver was appointed and for other reasons. The order was vacated by the court. True, the special judge was my brother, but he was not the brother of the St. Louis, Cape Girardeau & Fort Smith railroad. Neither Judge Wear nor the Missouri Pacific

attorneys will claim that.

10. After the order for receiver made by Judge Wear was vacated, the case was continued to the term. Then an application for a change of venue was filed by Leo Doyle, the trustee and one of the defendants in the Merriam case, and by the company, praying for a change of venue of the cause from Judge Wear on account of the undue influence of the opposite party over his mind, and that order was on file when Judge Wear later on undertook to act.

11. The special judge adjourned court, and the attorneys of the company and others left. Afterwards Judge Wear, with the attorneys of the Missouri Pacific, appeared and attempted to convene the court so adjourned. His action in that regard is utterly illegal.

12. It is true that as President of the Cape Girardeau road I employed attorneys to defeat the fraudulent appointment of a receiver made by Judge Wear without notice. The assertion, however, made in his order that I in any way "contrived" with George Houck or the attorneys is untrue, as in fact is every other material recital made in the alleged order of Judge Wear, and this will be shown whenever that order and the facts surrounding the case are investigated by an impartial court. I was not personally in Bloomfield, did not know what steps the attorneys of the company would or could take to defeat the illegal acts of Judge Wear done at the instance of the Missouri Pacific attorneys.

13. The other allegation in his order published by you that the attorneys of the company; that is to say, Hon. M. R. Smith of Farmington, Hon. R. B. Oliver and Hon. Wm. H. Miller of Jackson, together with Judge Houck, "contrived" to fraudulently vacate his clandestine order, I am equally certain, is untrue. The gentlemen representing the company are not known as "corporation lawyers," and Judge Wear in assailing them assails men in every respect his superiors, intellectually, morally and socially. Their character and reputation as lawyers and men of honor has never been questioned.

This communication has already become longer than I intended, and in conclusion I wish merely to say that the whole performance of Judge Wear in this matter reveals the judicial desperado. He says that he ordered the entries made by the special judge to be "expunged," and one reason assigned by him is that the court met too early in the morning for him. Did he "expunge" the order of adjournment made by the special judge on Saturday, adjourning the court to 8 o'clock Monday morning? Did he "expunge" the acts of the special judge during first week of the court? Did he "expunge" the election of a special judge and his oath of office on March 6th. Did he "expunge" the statute giving this special judge the power of the Circuit Judge while on the bench? But I think it ought generally to be understood, and it is well worth knowing that a great corporation of this State thinks itself strong enough in Missouri to lay its powerful hands on the courts in order promptly and vigorously to carry out its schemes—law or no law—notice or no notice.

Judge Wear is an object lesson that can be studied with advantage and profit by the people

A GOLD MEDAL.

The Press Will Offer One

To The Ranking Pupil In the Common School Course of the Mayfield-Smith Academy.

The publishers of the Press have decided to offer a gold medal to the pupil taking first rank in the common school course of the Mayfield-Smith academy.

They believe that this offer will be open to the largest number of the pupils of the school. True, they are a little late in making the announcement, but they have good reasons for being so. However, so long as the paper stays in the hands of the present management a medal will be offered each year. It will be known as the "Press" medal.

The paper recognizes in the Mayfield-Smith academy the germ of a great educational institution, and it aims to give it every possible encouragement. Again, it wishes to be in close touch with the body of the people, and trusts that the pupils will appreciate the offer. To be the ranking pupil in a course at the academy is no mean honor, and the paper hopes that its medal will be met with a feeling entirely contrary to contempt. Much work can be done yet this year, and a chance for winning the medal lies within the reach of every pupil.

WE ARE THANKED.

Prof. Graham Writes a Kind Letter.

To the Editor and Manager of the Press—Gentlemen:

MAYFIELD-SMITH ACADEMY, March 24.—I beg to acknowledge your kind offer to place at my disposal a gold medal for competition by the students of Mayfield-Smith academy. I have decided to give it to that student in the normal class who shall make the most satisfactory grade on examination in the course usually taught in our common schools. It is hoped a larger number will be interested and benefited than if the medal were offered in the academic grade.

In this connection permit me to thank you on behalf of the management of the Academy for the interest you have always manifested in the prosperity of the school, and the efforts you have put forth in its behalf. We are personally grateful to all for the encouragement, both moral and material, which we have received, and in days to come, when the school has grown far beyond its present limits, and become—as it will—one of the great schools of this state, we shall remember that in its infant struggles the Press was its generous friend and benefactor. Very truly yours, E. R. GRAHAM.

To the Front.

Mrs. Jaques has an abundance of new Spring Millinery. Beautiful, gorgeous hats for all. You are cordially invited to see these goods.

THE MAZY WHIRL.

An Evening of Pleasant Dancing.

Sometimes impromptu things are very good. And the ball at Mayer's hall last Friday evening was certainly very good. It was impromptu. Several visitors were present. A good attendance of Marble Hill's fair women and brave men graced the occasion. The music by Charles Ratley, Robert Hatcher, and Louis Mayer was just in the proper strain.

The supper prepared by A. Mayer was delicious as well as substantial. There was music in the instruments and in the dancers, in their graceful, lithesome movements and in their light hearts, and thus did they drive dull care away until 2 o'clock in the morning. The editor feels tempted to quote "On with the dance," etc., but he fears the consequences.

How The Buildings Are.

W. H. Proctor has the frame work on his fine residence in the eastern suburbs of Marble Hill about done, and the house will be enclosed soon. The frame work on C. Price's house in the northern part of Lutesville is almost up. The cottage being built by W. W. Sample in the Sample-Glen addition is about completed. Excavation for his brick business block on Main street is about completed, and work will be begun soon. Wilson Robertson is about ready to begin on the inside work of his new cottage.

A Neat Present.

Last Friday Prof. E. R. Graham, principal of the Mayfield-Smith academy, presented the editor with the fine faber pencil with which this item was written. It bears the brand, "Mayfield-Smith academy, Marble Hill, Mo.," and is manufactured especially for that school. It will be used by all of the teachers and pupils.

A Good Sermon.

Rev. J. T. Kendall preached a very able sermon on the subject of "Influence" at the Methodist church at Lutesville Sunday night. It was plain and practical, full of thought and sound advice, love and tender solicitude. The meeting continues with encouraging interest. The quarterly meeting was held on Monday.

Soon 'Twill End.

Tomorrow will close a seven months term of school for Lutesville. The work done has been entirely satisfactory. Much praise is due Prof. Leoffler and Miss Caldwell. When another term is begun the editor trusts it will be in a newer and better house.

A House Burned.

Volley Biffle's smoke house near Rose was burned last Saturday night a week ago. He lost \$40 worth of meat, corn and the other contents. It caught from the fire used in smoking meat.

Deserted His Family.

Charles Tiner living at Zalma, suddenly left a few days ago, and his whereabouts are unknown. He left a family there, who know nothing of the cause of his strange actions.

LIMBERGER IS GONE.

And Various Other Things From the New Famous.

Last Monday night some persons entered the New Famous and stole a small quantity of goods. They attempted to enter the rear door, but failing to do that broke a latch on one of the windows and entered the lunch parlor. They then pried the latch from the door entering the store. They stole a lap robe from Harry Boss' buggy in the rear of Mrs. Bollinger's hotel and used it, evidently as a means of preventing noise. They stole a cake of limberger cheese, some crackers, cigars, tobacco, candy and other things, some of which they ate in the store. They also took a watch worth about \$6 from the show case.

SHERIFF WELLS' IDEA.

A Sheriff's Protective Association Proposed.

J. T. Wells, Bollinger county's efficient sheriff, stands without a peer as an executive officer in Southeast Missouri. He is an intelligent courageous man, and a man of good ideas.

His latest proposition is a sheriff's protective association. He believes that such association would very materially aid Sheriffs in the discharge of their duties, especially that of the speedy capture of criminals. They could more easily understand each other and work in concert, thus affording material aid. It is a good plan and one that should be consummated. Sheriffs of other counties to whom he has proposed it endorse it heartily.

AN ELEGANT RESIDENCE.

A Proposition To The Lodges.

Cashier B. F. Stevens of the Bollinger county bank has purchased the two lots on Crown street in Lutesville formerly owned by J. B. Thompson. On the east end of them he will soon build a fine residence. He has not yet had plans drafted, and has not decided as to whether he will build a brick or a frame house. On the western end he will probably build a business block. He proposes that if the lodges of Lutesville will join him he will furnish the lot and go a proportional part of the cost in putting up a large brick block. After Main, Crown street is the best business street in Lutesville.

They Are Home.

Hons. Robert Drum and O. J. Snider arrived from Jefferson City last Friday. Their friends welcome them home, and the editor feels assured that the people of the district and county appreciate their work at the capital. Senator Drum showed the editor a group picture of the senate. They are a fine looking men, but without the appearance of flattery the editor must say that Mr. Drum is the finest looking man of the number.

An Old Gander.

W. M. Limbaugh of near Bessville has a gander that is getting gray and feeble, with age. He has just passed his 30th year. He lived through the Civil war and no doubt saw many of its struggles. He at least escaped the foragers.